

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TRUSTEES OF THE ELECTRICAL )  
WORKERS HEALTH AND WELFARE ) 2:09-cv-00026-RCJ-GWF  
TRUST, *et al.*, )  
Plaintiffs, )  
vs. )  
MALOY CONSTRUCTION, INC, )  
Defendant. )  
ORDER

Before the Court for consideration is the Findings & Recommendation and Order (#11) of Magistrate Judge George W. Foley, entered March 30, 2009.

The Court has conducted a review of the record in this case and, upon finding that no opposition has been filed, determines that the Findings & Recommendation and Order (#11) of the United States Magistrate Judge entered March 30, 2009, should be affirmed.

As such,

IT IS HEREBY ORDERED that Magistrate Judge Foley's Finding and Recommendations (#11) be affirmed and adopted and that the Answer of Defendant Maloy Construction, Inc. should be **stricken** and its **default entered** based on Defendant's failure to comply with this Court's Order to obtain counsel.

DATED: May 1, 2009

R. Jones  
UNITED STATES DISTRICT COURT